

City of Coral Gables City Commission Meeting

Agenda Item F-1

October 23, 2007

City Commission Chambers

405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Slesnick Donald D. Slesnick, II

Vice Mayor Maria Anderson

Commissioner Rafael “Ralph” Cabrera, Jr.

Commissioner William H. Kerdyk, Jr.

Commissioner Wayne “Chip” Withers

City Staff

City Manager, David Brown

City Attorney, Elizabeth Hernandez

City Clerk, Walter J. Foeman

City Clerk Staff, Billy Urquia

Public Speaker(s)

Vincent E. Damian, Jr., Salomon, Kanner, Damian & Rodriguez, P.A.

Jim Hartnett, Coral Gables Resident

Charles Girtman, Coral Gables Resident

F-1

Discussion regarding term limits for City Commission

Commission Rafael “Ralph” Cabrera, Jr.

Discussed/No Action Taken

Mayor Slesnick: OK, we are going to go now to – we have an eleven o’clock certain for E-2 so we are going to go to F-1, this is Commissioner Cabrera’s item.

Commissioner Cabrera: Thank you. My presentation is going to be in three parts, but before I make that presentation, which is relatively short, and conceptual in nature there are no real specifics, unless you want specifics, and we can certainly discuss those. But before I do, I’d like to make just a quick editorial comment. Its been alleged by some at City Hall that I’m bringing this forward today because the Political Action Committee (PAC) and Mr. Vince Damian ask me to become their mouth-piece. Well that’s not so. I will tell you that Mr. Damian wrote to the five of us on behalf of the Political Action Committee about a month or so ago, if I’m not mistaken; and he at that point in time made the commentary about term limits. I then decided that I wanted to engage Mr. Damian in discussions over it; and really what caused me to bring it back to all of you is the simple fact, and this is where my presentation begins, that I campaigned on this in 2000-2001. Last night, as I was preparing for my last review of the Commission meeting agenda, I decided to look through the brochure where I actually had it as part of my

platform, that I supported term limits. So that's the real catalyst, and by the way when I decided to support term limits, I guess you could say it was a political strategy, it was a political initiative; it was trying to get elected because my challenger or the incumbent at the time had no real position, perhaps was against it, but I studied the issue – I studied the issue before I became a Commissioner, I studied the issue as I campaigned to be a Commissioner, and the only thing that changed between the time that I was a candidate and the time that I became a Commissioner is the fact that I went from a challenger to an incumbent. That's the only variable that changed on term limits. Do I have mixed feelings about term limits? I have mixed feelings about term limits; I shared that with the Miami Herald this last Sunday. I have concerns about good people that are in office being termed out, and having people that may not have the qualifications to step into their shoes; and I will say that publicly and I'll say it privately, but at the same time I think you all need to understand that if I make a commitment while I'm a candidate for office, and I don't feel that I'm following thorough that commitment, then I believe that I have told an untruth, that I have misrepresented myself and my platforms as I got ready to run for office, and actually campaigned on those platforms. So that's the real driving force behind this. Mr. Damian and I happen to agree conceptually on it; we happen to also disagree specifically. Mr. Damian has a position on the PAC; when I say Mr. Damian, I'm speaking not only about Mr. Damian himself, but as President of the Political Action Committee (PAC); he has a position as it relates to the number of terms; I don't share that same thought process; and in fact today, I'm going to throw something out for the first time that I'd like you all to consider as we discuss it, but the real gist of this discussion today is not about you all supporting term limits, its about you allowing the people of Coral Gables to vote on term limits, to make it part of a ballot question. So it's not about each and every one of you giving me the thumbs up or not, it's really about giving the people of Coral Gables the opportunity to do so. The last part of my presentation, I had to look at my notes for a minute, really is the logistical aspect of all of this, and that is I've talked to the City Attorney; I've received information from the City Attorney's Office, and it sounds to me like in fact this Commission were to move forward on term limits and allowing it to be on the ballot, it would literally have to be on the next cycle, which would then be the Presidential Election in November, and not the upcoming election that we're contemplating for the item that we just passed. So having said all this you know, I'd like to open it up for questions amongst us. I know the Mayor – Mayor Slesnick asked me a few minutes ago on the dais that it is my item, and that even though its my item and there is no public commentary, would I be willing to allow public commentary, and I want you to know that I didn't invite anyone here with the exception of Mr. Damian and I talked about it; and he asked me to after all put it on the ballot – on he agenda, but I would be happy to hear from all, anyone interested in the public to speak on the item. But before we do that I'd like to get your thoughts on the idea and the concept.

Vice Mayor Kerdyk: Let me ask you a question with regards to other issues affecting the voters in general with regards to municipal elections, is there any other items that you would like seen addressed, if we were to go out and allow the public to vote on term limits, is there anything else that you could think of that would be part of that effort?

Commissioner Cabrera: Nothing comes to mind, but I'm open. If we are doing it now – nothing comes to mind; so to answer your question specifically, nothing comes to mind; but if we are contemplating not only – or contemplating this issue and there is an issue that segways into it, I would be willing to contemplate any other item that you or anyone else on the Commission might want to bring up.

Vice Mayor Kerdyk: The only reason I ask is we are talking about over a year before we would ask the electorate to determine whether or not we move forward on term limits or not; should we move in that direction. But I mean, I've also had people approach me with regards to our election system in general; do we like the one-on-one races?- or do we want to go back to the initial way that Coral Gables did it.

Commissioner Cabrera: I don't understand what's the one-on-one race? Oh, the seats

Vice Mayor Kerdyk: The seats.

Commissioner Cabrera: The seats, yes, OK.

Vice Mayor Kerdyk: I've also been – I know the Mayor is not going to like this, but I've also heard many times about the four year Mayor and the two year Mayor; is this a process that we need to have a committee look at the whole process itself – the election process itself, and report back to us at a later date. Again, we're talking about a tremendous amount of time that we have from you're bringing this up to when the election can be held. So if there are any other loose ends that we need to have tied up, maybe this is the time to do something like this.

Commissioner Cabrera: Like I said before, I'm being very focused in my discussion regarding term limits, but if there are other issues, whether it be the term of the Mayor, or whether it be the system in which we all get elected, because I do know based upon a conversation I had with a resident that we did have another system in which Commissioner and Mayors were elected in the past. I'm not as familiar with that system as maybe some of you may have been or know about it, but if that's something that you want to bring forward I don't see any issue – I have no issue with that. I just didn't have it on my radar screen in terms of my discussion. Chip you got any thoughts on this?

Commissioner Withers: On what Bill just said or your.....

Commissioner Cabrera: Whatever you want to do; I'm asking the question about my item, if Bill has something that he wants to bring forward, then he certainly can do so; I probably need to know more about it.

Commissioner Withers: Well you know, I'm a huge proponent of allowing the public to govern. If there are issues out there that we need the public to decide on, I'm one hundred and ten percent in favor of that. Now, I said I'm one hundred and ten percent of going to the public for decisions like this. I've been all over the board on term limits. As a young lad ideally, I thought they were a great idea. I've sat through two elections where term

limits became realities by the people voting people out office. There was a Mayor and a Commissioner removed out of office over a wedge issue.....

Commissioner Cabrera: Right.

Commissioner Withers:.....and then couple terms later, two Commissioners and a Mayor were removed over a wedge issue.

Commissioner Cabrera: They were about ten years apart.

Commissioner Withers: I don't know.

Commissioner Cabrera: Yes, they were.

Commissioner Withers: So to me, with the educational level of the people of Coral Gables, I have full confidence that folks can manage elections and create their own term limits. That's just how I feel. And the thing that concerns me about people voting on term limits, Ralph, is you know, "throw the bum" out attitude; and I think if people are generally unhappy with a slate of officials during a certain election, even if on a national level; everybody is upset with the Republicans and George Bush, and those guys are a bunch of bums and throw them out of there; I just don't want that to transcend down to the level that term limits need to be in place in order to keep that from happening. So I don't want good people to be thrown out of office based on term limits, based on the fact that there is a national feeling across the country. Secondly, you know, I think the City of Coral Gables – the residents of the City of Coral Gables, if they have an elected official that they are happy with and that elected official is doing a good job, why are we the mandate that that person has to leave? That's probably where you are on one side of the fence also on this.

Commissioner Cabrera: Well, I am; I'm with you but I've got a recommendation for that.

Commissioner Withers: Alright, let's hear it.

Commissioner Cabrera: Well, before I do, I want to kind of comment.....

Commissioner Withers: I'm done – I mean.....

Commissioner Cabrera:.....because those are really good comments you made. With regards to people being turned out by the electorate by getting voted out of office, absolutely correct – two wedge issues is what caused the electorate to come out to the polls and remove those people from Office. I don't know if its the "throw the bums out" mentality; because in both instances there was a lot of debate, and to a great extent there was a sophisticated campaign, but yes, those were wedge issues that caused people to be removed from office. But what is there are no wedge issues; what if the person that is in office is in office and draws a challenger; the reality is, and we all know this up here; and if we don't, somebody is not really paying attention. The reality is, if you are the

incumbent, you are going to have two major advantages over any challengers: the first one is going to be, you are going to have higher name recognition than the challenger, it's a given; and the second one is you are going to have the ability to raise funds to a greater level than the challenger, that's also a given. So you are always at a deficit if you are a person wanting to serve and wanting to serve your community in public office, because the reality is, unless there is a wedge issue around the horizon, the chances are pretty tough to beat that incumbent; and I agree with your comment about people being happy; I think people are happy but I think that people are also, and forgive me for saying this to the public, very apathetic, and they become very apathetic over the years; and what you find, and I have seen it, that the voter turnout in our City continues to stay well below what it was in 2001, where we received a turnout of nearly eleven thousand (11,000) people – why?– because it was a wedge issue. So for those reasons I have mixed feelings. I mean, I have the feelings you have; and I have the concerns that I just articulated, and so it's difficult for me to really gauge this, and that's why we are having this kind of conversation. So I really appreciate your comments.

Commissioner Withers: Well, you know I mean, I guess, Ralph, if someone is doing a really, really good job; people are really happy with them, should they be asked to leave?

Commissioner Cabrera: OK, you asked me to tell you my idea....

Commissioner Withers: That's what I'm struggling with.

Commissioner Cabrera: Yes, OK, you know what?– you're right. I need to give you an answer, because if I'm going to bring something like this to the table, I need to be able to at least bring some sort of compromise to try to move the process forward. What if we had a term limit program, that whatever the term limit is for a given Commissioner or Mayor, once they completed that consecutive term limit and they termed out, they could return again after a complete election cycle. So in essence, if I have a two-term limit as Commissioner – eight years, in 2009, I would step down as a Commissioner because I'm termed out, and I could return in 2011, if I choose to, because I didn't finish serving my City; I wanted to continue to do certain projects that I wasn't able to complete. But I did two things: number one, I gave someone else an opportunity to serve by having an open seat; and number two, I gave myself an opportunity to recharge my batteries and refocus on what I wanted to do in the next political cycle; and really number three, it gave me the opportunity to analyze do I want to continue to be a public servant at this level, or do I want to look beyond this level; do I want to look at a County seat, or a State Legislative seat. So at least that affords the person that really wants to be a Coral Gables City Commissioner, and really hates the idea of a term limit, the ability to return to office after a period of time. How does that sound?

Commissioner Withers: To me, like I said, analyzing that, if you sat out two years, and there's probably a good chance you are going to run against another colleague on the Board.

Commissioner Cabrera: And what's wrong with that?

Commissioner Withers: I just don't know, I mean, we are all friends up here and I don't know if people will do that. If I was termed out and said I have to run against one of you; I respect all of you so much; I don't know that I would do that; that's because I have respect for you.

Commissioner Cabrera: I would hope you would want to run.

Commissioner Withers: You understand where I'm coming from.

Commissioner Cabrera: Yes, I see where you are coming from. I mean, I was Jim Barker's friend, and I ran against him.

Commissioner Withers: So it would be difficult for me to sit out for two years and then come....

Commissioner Cabrera: Don was Raul's friend, and he ran against him, so.

Mayor Slesnick: We have three speakers or you want to speak first?

Commissioner Cabrera: I really like to keep this going.

Mayor Slesnick: We have a time certain, and this is a discussion issue.

Commissioner Anderson: Mine is going to be brief.

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: First of all I wanted to hand over this for the record; we received an e-mail from Patricia Clark, and I want to put that as part of the record where she stated her opinion, so I'll give that to you for the record; and I'll also like for the July 13, 2004 transcripts be added as part of the record because that's one of the times we discussed, term limits back in 2004 as the Commission-As-A-Whole, and that's where I actually documented my change of heart for term limits. I believe a lot of the things that Chip talked about, and a lot of the things I've seen in Tallahassee; what we have in Tallahassee is basically a breeding ground for lobbyist to come back when they are finished and termed out. I believe people have the right to vote for them out, and I also having been, ten years ago, been part of a movement that formed a referendum petition drive, I would encourage you if you don't want – if we don't come up with a plan for term limits at the Commission level, there is always a petition drive where you can find and test the waters for the citizens to figure out if that's what they really want. I have to tell you it's really hard work, but you will find out if there is a need for term limits. I don't support them; I won't support them today, but for all the reasons that we spoke about, I believe that the citizens do vote, when they do vote in mass like they did in 2001 and actually in 1961 as well, they let us know what they feel. I think you might actually

energize the population, the constituents, and the residents if you do a petition drive and put it on the ballot.

Mayor Slesnick: We have three speakers signed up. This is not a public hearing, but Mr. Cabrera has said that it's OK with him if we have some speakers. I would ask that the speakers though please stick; we are going to try to stick to the four minutes that we allow speakers because we are really trying to move on here. Vince Damian – he has not listed his address or anything. I know its on South Greenway – I mean North Greenway.

Mr. Damian: I'm Vincent Damian, I live on 1115 North Greenway Drive. You have a special set at eleven o'clock; I will not speak for four minutes, and I just assumed that you defer and let the special set go, considering that the Chairman of that Committee is somebody who would want to go ahead of me.

Mayor Slesnick: Well, but go ahead; give us a couple of minutes of your.....she nodded approval.

Mr. Damian: The subject of term limits has been around in Coral Gables and the State of Florida and elsewhere for a long time; and as Mr. Cabrera and Mrs. Anderson pointed out several years ago when they ran for election as non-incumbents, they were very much in favor of term limits; and what usually happens is the non-incumbents is always in favor of – not always – but that's the person in favor of term limits; rarely, rarely is an incumbent in favor of term limits. The reason why – its not I don't think a really selfish reason, but it's a built-in reason. When you get into office and you are doing things and you know things you say there isn't anybody else out there that can do it better than I; I have good intentions; I want to do well; and I have experience; why should I leave this office and turn it over to somebody who may or may not be good as me, but certainly don't have my experience, and certainly has not gained knowledge that I have; and that is a perfectly legitimate thought to have. But I am going to ask you, each of you, to look at this from an objective point of view and not from a subjective point of view. Take yourselves off the lectern; take yourselves off where you are and put yourself out into the citizenry. I'm going to make some statements; I'm going to make huge words, they are not directed at you; they are directed at the issue that has gone on across the whole United States and it's as you know gaining tremendous steam and incentive. The State of Florida, starting at the Governor's Office to the Legislature has term limits. It comes down to the municipal level where here the City Commission imposed term limits on the Board members, but skipped over themselves. They skipped over themselves for the very reason we were just talking about; they do believe incorrectly, I mean, legitimately so that they can do a good job and why should they leave office if they are already doing a good job. Well the reason is you're not being objective. Right now the term limits is being adopted in New York City; it's being adopted in Los Angeles – has been adopted; has been adopted in Denver; has been adopted in Dallas; and has been adopted in Alameda, California. Many cities throughout the State of Florida have done it; and there is a reason for these things. I'll get into specifics. First let me say what I'm going to propose, and I have not spoken to Mr. Cabrera about it, but when I said it, it's exactly the correct sentence. A term limit of eight years; at the end of eight years if a Commissioner

desires to run for Mayor then he runs for a new seat and can serve another eight years. That is sixteen consecutive years in office. One of the things we try at the local level is not to have professional politicians. When I think you go beyond eight years you are getting – certainly getting to that level; when you get to sixteen you certainly are you should be out and you should be happy to be out to do something else. Mr. Cabrera brought up a point and this is what has been adopted in Alameda, and various other cities. In order to assure that good people are not thrown out and cannot come back you have the eight years, if you don't run for another position on the Commission like the Mayor, you take two years off and you run again; that way you present yourself to the voters, not as an incumbent, but as somebody who has ideas, maybe fresh ideas after having sat out for two years, but you can bring back that experience by presenting yourself to the voters. Mr. Withers points out again in a subjective determination which I again agree. If I was sitting in your seat I would feel the same way. I've served with Mr. Kerdyk for "umpteens years"; I've served with Mr. Slesnick; they are my buddies, I can't run against them; the word is cronyism, that's exactly why we want term limits. You shouldn't be afraid to run against Mayor Slesnick; you shouldn't be afraid to run against Mr. Kerdyk; you should do it if you think that you are more capable than they are. You should not step back and say I don't want to run because they are my buddies that's exactly what we are trying to avoid is the issue of cronyism; the issue of friendship.

Commissioner Withers: What's wrong with being friends, Vince?

Mr. Damian: There's nothing wrong with being friends.....

Commissioner Withers: You just said there is something wrong with friendship. What's wrong with that?

Mr. Damian: You can remain friends with Mr. Kerdyk and run against him, but what has happened is because you have sat on the dais with Mr. Kerdyk for all of these years, you are not going to do it, and that is what we call cronyism; you are together; you are a group together, that is – let's not talk.....

Commissioner Withers: And we can be friends.

Mr. Damian: Yes, best friends.

Mayor Slesnick: Vince, Vince, Vince, now you are running into your wife's time.

Mr. Damian: I said was before I began.

Mayor Slesnick: No, I know, but you said you'd stick to the four minutes.

Mr. Damian: I said I wouldn't go beyond the four minutes. The arguments that you have brought up – that each of you will bring up in this objective determination are the same arguments that have been brought up in every single term limit situation that has ever been presented, and we all understand; these are not novel, these are not new, but the idea

is that its impossible in this City for a non-incumbent to run and defeat an incumbent. We have seen that over and over and over again. An incumbent running for City Commission who raises a hundred and ten thousand dollars (\$110,000) is disgusting – it should not happen.

Commissioner Anderson: I wished you'd help me when I brought the ethics issue – I tried to level the playing field with, but nobody came out and supported that.

Mr. Damian:....help you. But a hundred and ten thousand dollars (\$110,000) running for a City Commission seat is a professional politician; we don't want that, but that is what we are trying to avoid. If you are not an incumbent and you are running, and you are running against a non-incumbent we are going to have a normal level playing field, and will present issues. The only time an incumbent has ever been thrown out of Office is when there is a wedge issue; and it's only happened twice, as far as I know, as far as I can remember back, and it's unlikely to happen again except on this issue. Because if it doesn't happen here, it will be presented in an initiative, and it is difficult, and you would be imposing upon the citizens, and imposing upon the persons who want to put this forth a very, very, difficult burden, but if it needs to be done it will be done. I am asking that this City Commission deliberate on the issue itself and adopt it itself. One last thing – there will be – and Mr. Cabrera, who, and I requested several Commissioners by the way to bring this up before the Commission, Mr. Cabrera did it. I wrote to everybody and I called several people or contacted them by e-mail....

Mr. Cabrera: Well that's because I'm your mouth-piece.

Mr. Damian: But you are not, because we are about to part ways. Mr. Cabrera would like to run for another term, and I don't want Mr. Cabrera to run for another term; I want there to be.....

Commissioner Cabrera: OK, I quit Vince, I quit.

Mr. Damian: I want there to be an eight year limit; Mr. Cabrera will have at the end of this term served out his eight years. I asked Mr. Cabrera then either to run for Mayor, or I ask Mr. Cabrera to sit out for two years and then run again, and hopefully I will support him and vote for him. We will split on that issue. So my proposal is the Commission at its next meeting bring up this issue as a public hearing to be put as a referendum, and the next possible referendum, and it be – and I will put this is writing to you, it will be an eight year limit on terms; it will be a two year gap, if you don't run for the Mayor's seat, and then you can run again. There will be a total of sixteen years, and at sixteen years you are a professional politician, and we ask you to leave. One last thing; and I say this again, if we have to do it – if we can get it done here there are certain things in politics when you have to make compromises, it will be that issue. If it goes for referendum there are – I do believe we ought to return to the two year term, and I would have to go for a revision of our total election process in that area. So that's my request and that it be put on the next ballot issue. After that, we have a long road to hoe and will have to start the initiative process.

Mayor Slesnick: Mr. Jim Hartnett.

Ms. Bolton:...Mrs. Elizabeth Hernandez said that the eight year term end and begin...2009? [Inaudible – off mike]

Mayor Slesnick: It would be according to whatever the issue is that we put on the ballot; it would be whatever we determine.

Ms. Bolton: [Inaudible]...It wouldn't be fro the next term, but the following term, is that correct?

City Attorney Hernandez: It would be these limitations on terms are always prospective, so it would be after the next election, it would then apply.

Mr. Damian: That's not true.... [Inaudible – off mike]

Mayor Slesnick: It's Mr. Hartnett's floor. Vince, Vince – I said Vince that you can agree with, it depends on the proposal we put on the ballot.

Mr. Damian: Of course.....

Commissioner Anderson: Mr. Hartnett has the floor.

Mayor Slesnick: Mr. Hartnett. Mr. Jim Hartnett, 510 Marmore.

Mr. Hartnett: Fellow Commissioners, I am a member of the PAC Committee; I was not at the meeting that they voted to take this position. I am opposed to having term limits for several reasons. One, because you force the individual out; you loose all the experience and all the knowledge that, that individual accumulated in the first couple of years. So you deprive the citizens the opportunity of a capable representative making good decisions. When term limits first came out, I was at a luncheon meeting with Danny Fascell, who represented South Florida and U.S. Congress for some thirty eight years or so; and I asked him whether he was in favor of term limits, that was a brand new issue at that time, and he answered very succinctly, heck no; I have given the public sixteen opportunities to vote me out of office and they didn't do it, and that's a good formula. Here in Coral Gables if we're not content with the performance with an incumbent, as three of you sitting here know from experience, we simply change and vote them out and have the power to change the ballots for the majority. I'm against term limits. We in Coral Gables do not have to let other people set our precedent; the people in Coral Gables know what they want, and when they don't get it they will tell you about it. Mr. Mayor.

Mayor Slesnick: Thank you very much. Mr. Charles Girtman is our last speaker, 744 Tibidabo. Charles, good morning.

Mr. Girtman: Good morning everybody.

Mayor Slesnick: Good morning Charles.

Commissioner Withers: Good morning.

Mr. Girtman: How are you today? You made my case for me Chip, and that is I don't believe you are Matthew, Mark, Luke, and John sitting up here. I believe you can turn around, start at any place in this audience name any third person and they can do a good job. I think they should do a good job; and I don't think that the power of the incumbency should be here so strongly, as Vince said, with a hundred thousand dollar – its damn near impossible to run against you, and I think you all are doing a good job. But the other side of the experience is friendship, which you stated very eloquently. I'm going to quote you again, Mr. Withers, Chip; ten years ago a different group, but you two were still here; you stay at the purpose of the Commission and the Mayor, you two – set a general tone, you are not supposed to govern the City, the City Manager governs the City.....

Commissioner Cabrera: No, Mr. Girtman, Mr. Girtman, I'm sorry – the Charter specifically states, that the five of us govern the City, it's in the Charter.

Mr. Girtman: Well we have a City Manager form of government.

Commissioner Cabrera: He manages the City.

Mr. Girtman: You hire the City Manager.

Commissioner Cabrera: But we govern the City. I'm sorry to disagree, I'm sorry, but that's what the Charter reads.

Mr. Girtman: You also fire the City Manager; it's pretty tough to fire the City Manager or the City Attorney, when you've been together for ten or fifteen years, and you're friends, that's hard to do. There's another weird relationship; you build relationships that sounds like a good thing, but the same people that come before you over and over again they are there when you need campaign money; they are there for lunch; they are your friends outside this room; they are your friends inside this room; it gets dog-on hard to not do something for your friends if you have a good relationship with, and I'm not saying that's always bad. Lot of times your friends are the best people to give you the best information; but I can think of a couple things that I've spoken to, and you've spoken to, too; why are you having so much trouble with Building and Zoning?- I don't know why, I kind of think that everybody liked the people in Building and Zoning, and they were a little reluctant maybe to come down on them at the right time as far as they should have. We got an ordinance which is my personal pet peeve with these pick up trucks all over the City, which are all over now. Three years ago Guilford, Zeke Guilford was at a hearing the truck ordinance, he said we can't do this, this ordinance is wrong, he threw all the cases out; everybody got up in arms. We still have not rewritten the pick-up truck or the commercial truck ordinance. I haven't seen anybody been called to task why we haven't rewritten that because we're friends, we are all friends, we all like each other, its ____ body; that's my argument. If you have some new people in here and you say, how

are we going to do this job as a public service for four years, and Chip, I always come back to you, because you said for years you wanted to not do it anymore.....

Commissioner Withers: I know, I know, I know.

Mr. Girtman: But we've always begged you to stay because I think you do a great job, and you bring the experience. Bill started up here, I don't know how young he was, but he was from the standpoint of someone of sixty six years old, he was a pretty young chip, so was Ralph, what happened when you all got in?- new broom swept clean; we got a new – we got Mr. Foeman in here, he's done an outstanding job. Its really difficult for you if you had sat here for twenty years with Virginia Paul, liked Virginia Paul, and she was a sweetheart to everybody to have done this – I'll wrap it up Don, I see you, thank you. But the point is there is nothing wrong with inexperience; there is nothing wrong when Ralph got up here; when Don got up here; and when Maria got up here; you did what the public wanted; you were inexperienced; in month three you had made the biggest decision that's been made in this City in twenty years. Now you've evolved; you're experienced; you have friends. I don't know if you'll do that same thing – look in the mirror, the three of you, look in the mirror; would you have the audacity to tear down that building now, with all your friends here, and all your friends [inaudible]. I thank you very much. I have one other thing else here I wanted to say here, and that's the cost of staying up here; everybody is on the pension program; those one's say one is not on the pension program I understand is compensated, aside from being on the pension program; I don't think that everybody should be a full-time employee, and if we had new people and they stay eight years instead of ten or twelve years that would alleviate that problem. Thank you for your time. I hope I didn't jump up and down too much.

Mayor Slesnick: You didn't.

Commissioner Cabrera: Charlie – Mr. Girtman, I just look young.

Mr. Girtman: Sir?

Commissioner Cabrera: I said I just look young.

Mayor Slesnick: Thank you Mr. Girtman. Well listen, I think what we would do is Mr. Damian said he is going to submit to us a specific plan for us to consider to bring back before us. Mr. Cabrera has already stated that he has some ideas that he will circulate.

Commissioner Cabrera: Conceptually, the biggest idea I had was the non-consecutive.

Mayor Slesnick: Why don't we just circulate that and we'll....

Commissioner Cabrera: I'll try to – I looked at several municipalities that have that -- and I would tell you that I would go one step further that I would give you the terms, in my opinion, which would be three terms for a Commissioner, and I have rationale for that because I have served two terms, or I will have served two terms in 2009; and then four

terms of the two year terms for the Mayor, but the last time we talked about this you were uncomfortable with that so I would be willing to come up with a compromise.

Mayor Slesnick: OK, but I mean, let's circulate it and see what we do; we'll take it under advisement and come back.

Mr. Damian: When is the next meeting?

Mayor Slesnick: Well Vince, I don't know if it's going to make the next meeting.

Mr. Damian: When is that?

Mayor Slesnick: Our next meeting is two weeks from today.

Commissioner Anderson: Second Tuesday of the month.

City Manager Brown: 13th of November.

Mayor Slesnick: And I think Mr. Kerdyk said it well, if we have time we should consider it greatly and maybe other issues too. Let me only add one thing, I didn't say anything, and I'm not going to say more than one thing. I'm just going to talk about what Mr. Withers said, and what he was taken to task for gently by one, more severely by another. You know, friendship to me and respect for each other is a quality which this Commission has been able to show for a long time, and that does not mean cronyism, I mean, I guess maybe under the definition of cronyism you could maybe define it as that, it doesn't matter; to me the popular definition of cronyism has a negative content. There are people on this Commission that they and I have disagreed with over some of the most important issues that we've had, and we've had some tough times. Recently, it has been pitched that Mr. Cabrera and I are having a tough time between each other issues. I have respected Mr. Cabrera since the time I took office and continue to do, and will continue to do so...

Commissioner Cabrera: But I do you, but we do have friction amongst each other; we don't even say good morning to one another...

Mayor Slesnick: I have friction with my wife sometimes.

Commissioner Cabrera:...So that's friction right there.

Mayor Slesnick: Good morning Ralph.

Commissioner Cabrera: Good morning Don, nice to see you, nice tie.

Mayor Slesnick: Good to see you, thank you. I did mention your tie earlier. Anyways, the fact of the matter is that I think that friendship and respect can add to the quality of government; we've watched too many Commissions in other cities tear each other apart because of their lack of respect for one another, their lack of respect for civility, and I

hope that this Commission continues to operate as a group, and continue to disagree, and continue to take opposite positions, but continue to come back together again with that respect that I think Chip referred to.

Commissioner Anderson: I think, one more last thing is, one of the things we have to think about when we decide to leave office is mentorship; trying to find good people to run for office that are willing to be honest, and have integrity, and have desire, and I think that's what we lack. My intent would be when I decide not to do this again would be to find somebody to mentor.

Mayor Slesnick: The other thing too is – let me say this, one other point then we are going to move on, we have our eleven o'clock its now twenty four minutes. But this is a point that was brought up by Mr. Girtman, and it goes to Chips point. When this Commission in 2001 made some very important decisions, which were not only about the building next door, but were about the management team, and about the City Manager, we had very, very close relationship and this Commission operated together, that included, by the way, two people who had worked with the Manager for a decade or more, and who had voted on the project before, other issues were debated publicly and so forth, and it included Ralph and I who had worked together on the Planning and Zoning Board, who had worked closely with that project, and who had worked with various view points on it, but had worked with that Manager for a long time on various Boards, and so we were able to overlook that and make what we hope were wise decisions, that's what we did. But anyways we respect and we appreciate the discussion. Thank you for bringing it to us, and thank you Ralph.